

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CARLOS RUBEN FUENTES,
Petitioner,

v.

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF CORRECTIONS, *et al.*,
Respondents.

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Civil Action No. 7:16cv00015

ORDER

By: Norman K. Moon
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that this action is **DISMISSED without prejudice** and **STRICKEN** from the active docket of the court.

Further, finding that Fuentes has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send a copy of this order to petitioner.

ENTER: This 30th day of March, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE